

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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HOWARD TIM DAVIS,

Plaintiff,

v.

**ORDER**

Civil File No. 15-2723 (MJD/HB)

JAMES STREET,

Defendant.

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Howard Tim Davis, pro se.

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The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated June 18, 2015. Plaintiff Howard Tim Davis filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Bowbeer dated June 18, 2015.

Accordingly, based upon the files, records, and proceedings herein, **IT IS**

**HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated June 18, 2015 [Docket No. 3].
2. Plaintiff's Howard Tim Davis's Application to Proceed in District Court Without Prepaying Fees or Costs [Docket No. 2] is **DENIED**.
3. This action is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: July 7, 2015

s/ Michael J. Davis

Michael J. Davis

United States District Court